

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL RENE RUIZ,

Plaintiff,

v.

R. ST. ANDRE, et al.

Defendants.

No. 2:24-cv-02757-DC-JDP (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. No. 7)

Plaintiff Michael Rene Ruiz is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 24, 2025, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed, without prejudice, due to Plaintiff's failure to pay the filing fee, to prosecute this action, and to comply with the court's orders. (Doc. No. 7.) Specifically, Plaintiff failed to comply with the October 23, 2024 court order, in which the court directed Plaintiff to file an *in forma pauperis* application or pay the required filing fee. (Doc. No. 3.) Plaintiff did not thereafter file an *in forma pauperis* application or pay the required filing fee. Consequently, the magistrate judge issued an order to show cause on December 19, 2024, directing Plaintiff to explain why the court should not dismiss the case due to his failure to pay the filing fee and/or file an *in forma pauperis* application, to prosecute this action, and to comply

1 with court orders. (Doc. No. 6.) Plaintiff did not thereafter file a response to the order to show
2 cause or otherwise communicate with the court.

3 The pending findings and recommendations were served on Plaintiff and contained notice
4 that any objections thereto were to be filed within fourteen (14) days after service. (Doc. No. 7 at
5 3.) To date, no objections to the findings and recommendations have been filed, and the time in
6 which to do so has now passed.

7 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
8 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
9 findings and recommendations are supported by the record and by proper analysis.

10 Accordingly,

11 1. The findings and recommendations issued on January 24, 2025 (Doc. No. 7) are
12 adopted in full;

13 2. This action is dismissed without prejudice, due to Plaintiff's failure to pay the
14 filing fee, prosecute this action, and comply with a court order; and

15 3. The Clerk of the Court is directed to close this case.

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18 IT IS SO ORDERED.

19 Dated: February 18, 2025



20 Dena Coggins
United States District Judge

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